

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

MONTVALE SURGICAL CENTER, LLC.  
a/s/o W.K.,

Plaintiff(s),

v.

HORIZON BLUE CROSS BLUE SHIELD  
OF NEW JERSEY, INC; DISTRICT  
COUNCIL IRON WORKERS FUND OF  
NORTHERN NEW JERSEY- LOCAL 45;  
ABC CORP. (1-10) (Said names being  
fictitious and unknown entities)

Defendant(s),

CIVIL ACTION NO.: 2:12-cv-4168-JLL

**CIVIL ACTION**

**NOTICE OF MOTION  
TO REINSTATE COMPLAINT**

**TO:** Matthew A. Baker, Esq.  
Connell Foley, LLP  
Liberty View  
457 Haddonfield Road, Ste 230  
Cherry Hill, NJ 08002

PLEASE TAKE NOTICE that the undersigned attorneys for Plaintiff, Montvale Surgical Center, LLC a/s/o W.K., shall apply to the above named Court, on Monday January 22, 2013, at 9:00 a.m. in the forenoon, or as soon thereafter as counsel may be heard, at the Martin Luther King Federal Building and United States Courthouse, Newark, New Jersey, for an Order reinstating Plaintiff's Complaint against Defendant District Council Iron Workers Fund of Northern New Jersey –Local 45.

PLEASE TAKE FURTHER NOTICE that the undersigned will rely on the attached Certification and Exhibits;

PLEASE TAKE FURTHER NOTICE that the undersigned hereby waives oral argument.

PLEASE TAKE FURTHER NOTICE that a proposed form of Order is annexed hereto.

MASSOOD & BRONSnick, LLC  
Attorneys for Plaintiff

---

ANDREW R. BRONSnick, ESQ.

Dated: December 21, 2012

w:\wp51\majormed\montvale surgical center\van soest\pleadings\nom to reinstate.docx

**CERTIFICATION OF SERVICE**

I hereby certify that the within Notice of Motion has been filed via the ECF system and all defense counsel has been served via ECF within the time prescribed by the Rules of the Court.

MASSOOD & BRONSNICK, LLC  
Attorneys for Plaintiff

---

ANDREW R. BRONSNICK, ESQ.

Dated: December 21, 2012